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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/765,605	01/22/2001	Mario Polegato Moretti	202115US3	9737
22850	7590	12/03/2003	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			STASHICK, ANTHONY D	
			ART UNIT	PAPER NUMBER
			3728	

DATE MAILED: 12/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



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EXAMINER

ART UNIT	PAPER
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Commissioner for Patents

The information disclosure statement filed October 7, 2003 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because it does not contain a copy of the disclosure of Application 10/250,700 as required by 37 CFR 1.98(a)(2)(iii). Also, with respect to the cited reference 090/765,605, the disclosure of the current application on appeal cannot be listed on an Information Disclosure Statement for the same application. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609 ¶ C(1).

The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

Anthony D Stashick
Primary Examiner
Art Unit: 3728